

From: Bradley, Megan  
Sent: Monday, March 05, 2018 03:24 PM  
To: Mastro, Donna; augustine, bruce; Mia, Marcia  
Subject: RE: Information Request for Certain Reports under NSPS 0000a  
Attachments: EPA-HQ-2018-001886 Region 3 Withheld Documents.docx

Hi Marcia,

Since Region 3 closed its task for this FOIA in FOIA Online, I am unable to remove the report or upload the Withhold Exemption Sheet.

The EnerVest report is saved in FOIA Online as "Document 57". I've attached the Exemption Sheet.

Please let me know if you need anything else.

Thanks,

Megan Bradley

From: Mastro, Donna  
Sent: Monday, March 5, 2018 9:43 AM  
To: augustine, bruce <augustine.bruce@epa.gov>; Mia, Marcia <Mia.Marcia@epa.gov>  
Cc: Bradley, Megan <Bradley.Megan@epa.gov>  
Subject: RE: Information Request for Certain Reports under NSPS 0000a

## Ex. 5 Attorney Client (AC)

Donna L. Mastro | Associate Regional Counsel | Air Branch Chief | US EPA Region III ORC  
| (215) 814-2777 | fax (215) 814-2603

From: augustine, bruce  
Sent: Monday, March 05, 2018 9:40 AM  
To: Mia, Marcia <Mia.Marcia@epa.gov>  
Cc: Bradley, Megan <Bradley.Megan@epa.gov>; Mastro, Donna <Mastro.Donna@epa.gov>  
Subject: FW: Information Request for Certain Reports under NSPS 0000a

Marcia,

On February 15th I sent one of the emails detailing the 0000a FOIA to Enervest and I just received their reply this morning claiming the document CBI.

Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Bruce J. Augustine

Environmental Scientist

Office of Air Enforcement & Compliance Assistance

USEPA Region III

1650 Arch Street

Mailcode: 3AP20

Philadelphia, PA 19103

(215) 814-2131

From: McIntyre, George E. [mailto:gmcintyre@EnerVest.net]

Sent: Monday, March 05, 2018 8:50 AM

To: augustine, bruce <augustine.bruce@epa.gov>

Cc: Dearing, Michael <mdearing@enervest.net>; Lawson, Jon <jlawson@EnerVest.net>; Hodgdon, Amber <ahodgdon@enervest.net>

Subject: RE: Information Request for Certain Reports under NSPS 0000a

Mr. Bruce,

Please accept this email as notice that EnerVest Operating, LLC asserts that the information indicated below is confidential and should be treated as such in response to any FOIA requests submitted to the EPA. Please feel free to contact me directly if you need any additional information.

Regards,

George McIntyre

Associate Counsel

EnerVest, Ltd.

300 Capitol Street, Suite 200

Charleston, WV 25301

Phone: 304-414-8191

Fax: 304-414-8154

cid:image001.png@01D09233.093F38B0

From: augustine, bruce [mailto:augustine.bruce@epa.gov]

Sent: Thursday, February 15, 2018 2:40 PM

To: augustine, bruce

Subject: Information Request for Certain Reports under NSPS 0000a

Dear Sir/Madam,

The U.S. Environmental Protection Agency has received a request under the Freedom of Information Act (FOIA) for records containing information related to certain compliance records submitted to the EPA under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS 0000a) . This FOIA request is attached. The records requested include results of performance tests, initial semiannual reports for gas plants, semiannual reports for gas plants, annual reports and annual reports of excess emissions for sweetening units.

We believe you may have made a submittal under one or more of the provisions §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b) .

By your response to this email, please indicate whether you wish to assert a confidential business information (CBI) claim with respect to any portion of report submitted under §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b) or any addendum, update or attachment to report, that your company has submitted to EPA.

If you decide to assert such a claim the EPA will temporarily treat the reports that you identify, and its updates, attachments and addenda, as confidential pending further investigation by the EPA. Please be advised that as part of such further investigation EPA is likely to request (in a subsequent communication) that you substantiate any CBI claim. If you do not assert a timely (see below) CBI claim with respect to any portion of a report or its addenda, updates or attachments, as described above, those records may be released to the requestor without further notice if EPA determines that the records are responsive to the FOIA request.

You have been identified by EPA as the responsible corporate official, under the FOIA regulations in 5 U.S.C. 552. Any CBI claim your company wishes to assert must be brought to the EPA's attention (by response to this email) no later than the close of business on the third working day from the date of this receipt by the responsible official (not including weekends). If you have any questions regarding this matter, please contact Bruce Augustine at [augustine.bruce@epa.gov](mailto:augustine.bruce@epa.gov) or 215-814-2131.

Bruce J. Augustine

Environmental Scientist

Office of Air Enforcement & Compliance Assistance

USEPA Region III

1650 Arch Street

Mailcode: 3AP20

Philadelphia, PA 19103

(215) 814-2131

<image001.png>